IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 2260 of 2005

Between:

Padmanabhuni Nookaiah Chetty, S/o.China Abbayi,
R/o.Boggarapuvari street, Anakapalli, Visakhapatnam District.

..... PETITIONER

AND

1 The District Collector, Visakhapatnam District.
2 The Superintending Engineer (R&B) Marripalem, N.H.No.5 Road, Visakhapatnam.
3 The Project Director, National Highway Authority, Near Zoo Park, Visakhapatnam.
4 The Executive officer, Zilla Parishad, Maharanipeta, Visakhapatnam.
5 The Secretary, Ministry of Surface Transport (R&B) A.P.Secretariat, Hyderabad.
6 The Hon'ble Minister of R&B Surface Transport, A.P.Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents not to permit the villagers in constructing the temple in the road margin opposite the petitioners property at Kotturu village, Anakapalli Mandal on Anakapalle, Yellamanchili Road belonging to the R&B Department on the National Highway No.5 and in the event it is completed to demolish the same as is wholly illegal and arbitrary.

Counsel for the Petitioner:MR.P.SRI RAGHU RAM

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court at the admission stage made the following :

ORDER:

The grievance of the petitioner is that a temple is being constructed in the road margin opposite to his property.

But it is not his grievance as to whether anybody is interfering with his rights or possession over his property.

Therefore, the writ petition is misconceived.

Hence, the writ petition is dismissed. No costs.

_____

26-04-2005

rkk

Copy to

1 The District Collector, Visakhapatnam District.
2 The Superintending Engineer (R&B) Marripalem, N.H.No.5 Road, Visakhapatnam.
3 The Project Director, National Highway Authority, Near Zoo Park, Visakhapatnam.
4 The Executive officer, Zilla Parishad, Maharanipeta, Visakhapatnam.
5 The Secretary, Ministry of Surface Transport (R&B) A.P.Secretariat, Hyderabad.
6 The Hon'ble Minister of R&B Surface Transport, A.P.Secretariat, Hyderabad.

7 Two CCs to GP for Roads & Buildings, High Court of AP, Hyderabad. (OUT)

7 Two CD copies.